

ESTTA Tracking number: **ESTTA43587**

Filing date: **08/30/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Columbia Sportswear North America, Inc.		
Entity	Corporation	Citizenship	Oregon
Address	14375 NW Science Park Drive Portland, OR 97229 UNITED STATES		

Correspondence information	Karen M. Cushman Trademark Administrator Columbia Sportswear North America, Inc. 14375 NW Science Park Drive Portland, OR 97229 UNITED STATES bcason@columbia.com Phone:503-985-4009
-----------------------------------	--

Registration Subject to Cancellation

Registration No	2102282	Registration date	09/30/1997
Registrant	AIRWAY INDUSTRIES, INC. Airway Park Ellwood City, PA 16117 UNITED STATES		
Goods/Services Subject to Cancellation	Class 018. First Use: 19940700, First Use In Commerce: 19940700 Goods/Services: luggage		

Grounds for Cancellation	The registered mark has been abandoned.
---------------------------------	---

Attachments	TITANIUM Cancellation Grounds.pdf (1 page)
--------------------	--

Signature	/barbara t. cason/
Name	Barbara T. Cason
Date	08/30/2005

The grounds for cancellation are as follows:

1. Upon information and belief, Petitioner alleges that Registrant has abandoned the registered mark TITANIUM, U.S. Registration No. 2102282, by discontinuing use of the mark on the goods identified in the registration, with no intent to resume such use. Petitioner has been and will be damaged by the continuance of the registration in that Petitioner intends to use the mark TITANIUM on all purpose sport, athletic and/or carrying bags, backpacks, fanny packs; sports packs; waist packs; hydration packs; tote bags; leather pouches, drawstring pouches and briefcases; and Petitioner's application has received an initial rejection based on an asserted conflict with Registrant's registration.

2. Petitioner believes its application will be impaired by the continued registration of the abandoned mark by Registrant. In addition, Petitioner's use of the TITANIUM mark for the referenced goods will be impaired by the continued registration of Registrant's abandoned mark.

WHEREFORE, Petitioner prays that U.S. Registration No. 2102282 be immediately canceled pursuant to 15 USC § 1068 and that this Petition for Cancellation be sustained in favor of Petitioner, and for such other and further relief as is deemed just and proper.